

House Bill 3091

Sponsored by Representative THATCHER (at the request of Erin Thurber)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies reference to constitutional provision for which finding by Oregon Government Ethics Commission that appointed public official has violated certain statutes or rules constitutes prima facie evidence of unfitness for office.

Takes effect only if House Joint Resolution 22 (2011) (LC 3037) is approved by people at next regular general election. Takes effect on effective date of constitutional amendment proposed in House Joint Resolution 22 (2011) (LC 3037).

A BILL FOR AN ACT

1
2 Relating to evidence of unfitness of appointed elected official to hold office; amending ORS 244.270;
3 and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 244.270 is amended to read:

6 244.270. (1) If the Oregon Government Ethics Commission finds that an appointed public official
7 has violated any provision of this chapter or any rule adopted under this chapter, the finding is
8 prima facie evidence of unfitness where removal is authorized for cause [*either by law or pursuant*
9 *to section 6, Article VII (Amended)*] **by law or pursuant to section 5, Article III** of the Oregon
10 Constitution.

11 (2) If the commission finds that a public official has violated any provision of this chapter or
12 any rule adopted under this chapter, the commission shall notify the public body, as defined in ORS
13 174.109, that the public official serves. The notice shall describe the violation and any action taken
14 by the commission. The commission shall provide the notice not later than 10 business days after
15 the date the commission takes final action against the public official.

16 **SECTION 2. This 2011 Act does not become effective unless the amendment to the**
17 **Oregon Constitution proposed by House Joint Resolution 22 (2011) (LC 3037) is approved by**
18 **the people at the regular general election held in November 2012. This 2011 Act takes effect**
19 **on the effective date of that amendment.**
20

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.